

REMARKS

A telephone interview was conducted April 27, 2007 between Examiner Jerome Grant and applicants' representative George Blasiak. The Examiner had contacted applicants' representative via telephone regarding child patent application No. 11/238,176, and in a discussion regarding U. S. Patent Application No. 11/238,176 the Examiner noted that U. S. Patent Application No. 11/238,176 was undergoing examination and that additional references were uncovered in U. S. Patent Application No. 11/238,176. The applicants' representative noted that an issue fee is due in the present application and that filing a Request for Continued Examination ("RCE") would result in further delay of the issuance of the present application. The Examiner indicated that the Examiner would consider the newly uncovered references in the present application without requiring the filing of an RCE so as not to further delay the issuance of the present application.

Further during the interview, applicants' representative noted that with the examination of U. S. Patent Application No. 11/238,176 the timing between U. S. Patent Application No. 09/766,922 and U. S. Patent Application No. 11/238,176 was changed such that U. S. Patent Application No. 11/238,176 could possibly issue prior to U. S. Patent Application No. 09/766,922.

Acknowledging that with the timing of the applications such that U. S. Patent Application No. 11/238,176 could possibly issue prior to U. S. Patent Application No. 09/766,922, the Examiner indicated that the Examiner had considered the claims of U. S. Patent Application No. 11/238,176 relative to the present application for double patenting conflicts, and had determined that there were no double patenting conflicts either as to U. S. Patent Application No. 11/238,176 in view of U. S. Patent Application No. 09/766,922 or as to U. S. Patent Application No. 09/766,922 as to U. S. Patent Application No. 11/238,176.

Accordingly, in view of the above remarks, applicants believe the present application to be in condition for allowance and respectfully request passage to allowance of the application.


Communication to Record Substance of Interview dated May 2, 2007

If the Examiner believes that contact with applicants' representative would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicants' representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Dated: May 2, 2007

Respectfully submitted,

By 
George S. Blasiak
Registration No.: 37,283
MARJAMA & BILINSKI LLP
250 South Clinton Street
Suite 300
Syracuse, New York 13202
(315) 425-9000
Customer No. 20874

GSB/bs